

### **REMARKS/ARGUMENTS**

Drawings: A replacement sheet for Fig. 5, deleting reference number 4, is attached hereto.

Claim Objections: Claims 4, 15 – 18, and 20 – 23 have been objected to for various informalities. In response, these claims 4, 15 – 18 and 20 – 23 have been amended. Claim 23 has been cancelled. Therefore, the Applicants respectfully request that the objection be withdrawn.

### **Rejections on Prior Art**

Claims 1 – 6, 9, 10, 12 – 15, and 17 – 23 have been rejected under 35 U.S.C. 102(e) as being anticipated by Haack, et al. U.S. Patent 6,564,906. Claims 1, 3, 4, 6, 9, 15, 17 – 19 and 21 – 23 have been rejected under 35 U.S.C. Section 102(e) as anticipated by Pollish, U.S. Patent 6,679,349. Claims 1, 2, 4, 6, 7, 9 - 11 and 14 have been rejected under 35 U.S.C. Section 102(b) as anticipated by Hale, U.S. Patent 1,672,212. Reconsideration of the claims in view of the following amendments and remarks is respectfully requested.

Pollish discloses a fork lift apparatus that includes a seat moveable between first and second steering mechanisms. The steering mechanisms are located on opposing ends of the vehicle along with separate foot pedals 15, 16 and control levers 18 – 20. The foot pedals and control levers are described as “conventional”. No further description is provided.

Hale discloses a vehicle that includes each of a steering wheel 17, gear shift 11, and clutch 10 on opposing ends of the vehicle to allow the vehicle to be driven from either end. Each end has an individual “power plant” for driving the vehicle from the selected end. A lock is provided for preventing steering from the opposing end while a selected end is active. Essentially, therefore, Hale describes a vehicle having the complete driving systems on opposing ends of the vehicle.

Haack discloses an industrial delivery vehicle including “modules” which are positionable between operating positions, as for example, in a front region and a rear region. As discussed with reference to Fig. 2, the function regions include a first module 23 having a steering wheel 29 and a second module 25 including operating elements 31 for selecting between forward and reverse travel and for controlling travel speed. Referring to Column 7, line 55 to column 8 line 17, and also to Fig. 5, the vehicle is shown to include modules arranged such that the operator can face forwards, backwards, or transverse to the direction of travel. When facing toward the rear of the vehicle, the operator controls functions 323 (steering) with one hand and 325 (direction and speed) with the other hand, while operating foot switch 347. When facing toward the front of the vehicle, he provides the same functions using function regions 325’ (direction and speed) and 326 (steering) and foot switch 349. When facing transverse to the direction of travel, the operator controls station 323 (steering) with one hand, 325’ (direction and speed) with the other hand, and uses foot switch 349. Therefore, depending on operator orientation, the operator selects between multiple steering mechanisms and deadman switches.

In each of the cited references, therefore, multiple steering mechanism are required for controlling the vehicle from opposing ends. In the only vehicle that specifically discusses a foot or deadman switch, multiple foot switches are also required.

Claim 1 has been amended to include the limitations of claim 5, and recites a deadman mechanism that is accessible to an operator operating both the first and second operator control handles when facing in a first direction and in a second direction opposite the first direction, respectively. Neither Pollish nor Hale discloses a deadman mechanism at all. If any can be inferred from the foot pedals shown but not described by Pollish, these pedals indicate that two such controls are required. Haack requires the operator to use a

different mechanism switch depending on operator orientation. Therefore, none of the prior art references anticipate claim 1, as amended, and the Applicants respectfully request that the rejection of claim 1 under 35 U.S.C. Section 102 be withdrawn.

Claim 10 has been amended to incorporate the limitations of claim 21 as filed, and recites a steering mechanism that is mounted for access by an operator facing either in a first direction or in a second direction opposite the first direction. In Pollish and Hale, two steering mechanisms are provided, one for operators facing a first direction and one for operators facing in a second direction. Haack also provides separate steering mechanisms for use by the operator when operating the first and second control handles. Again, none of the cited references disclose a steering mechanism of this type, and the Applicants respectfully request that the rejection of claim 10 under 35 U.S.C. Section 102 be withdrawn.

Claim 15 has been amended to incorporate the limitations of claim 21, and is also directed to a lift truck including a steering mechanism that is accessible by an operator operating both first and second control handles, one facing the forks of the vehicle and the other in the direction opposing the forks. Pollish, Hale, and Haack all disclose separate steering mechanism for use when facing opposite directions. As none of the cited references disclose a vehicle of the configuration recited in claim 15, the Applicants respectfully request that the rejection of claim 15 under 35 U.S.C. Section 102 also be withdrawn.

### **Conclusion**

In view of the foregoing amendments, claims 1 – 22 are believed to be in condition for allowance, and the Applicants respectfully request that a notice of allowance be issued for these claims.

Appl. No. 10/631,237  
Amdt. Dated July 25, 2005  
Reply to Office Action of March 24, 2005

We enclose a Petition and Fee for One Month Extension of Time. If any other fees are believed necessary, please charge Deposit Account 17-0055.

Respectfully submitted,

Robert J. Lewis

By: 

Terri S. Flynn  
Quarles & Brady LLP  
Reg. No. 41,756  
Attorney for Applicant  
411 East Wisconsin Avenue  
Milwaukee, WI 53202-4497  
414/277-5229

Appl. No. 10/631,237  
Amdt. Dated July 25, 2005  
Reply to Office Action of March 24, 2005

**Amendments to the Drawings:**

A replacement sheet for Fig. 5, deleting reference numeral 4, is attached hereto.

Attachment: Replacement sheet for Fig. 5.